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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	10/729,296	
	Filing Date	December 05, 2003	
	First Named Inventor	Stout, Tadlington A.	
	Art Unit	3764	
	Examiner Name	Nguyen, Tam M.	
Total Number of Pages in This Submission	8	Attorney Docket Number	AQU400US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="margin-left: 20px;">Itemized postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gavrilovich, Dodd, and Lindsey, LLP		
Signature			
Printed name	Charles D. Gavrilovich, Jr.		
Date	January 12, 2005	Reg. No.	41,031

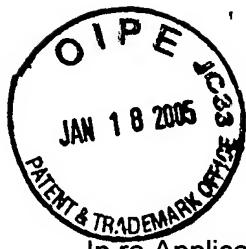
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Typed or printed name	Charles D. Gavrilovich, Jr.
Date	January 12, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tadlington A. Stout

Serial No.: 10/729,296

Filed: December 05, 2003.

) Art Unit: 3764

) Examiner: Tam M. Nguyen

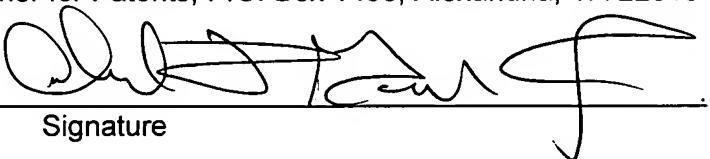
) Docket No. AQU400US

For: **ACQUATIC EXERCISE DEVICE**

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date January 12, 2005, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Sir:

RESPONSE TO NON-FINAL OFFICE ACTION

In response to the Office Action dated October 18, 2004, please amend the application as indicated below.

Amendments to the Claims begin on page 2 of this Amendment.

Remarks begin on page 5 of this Amendment.